Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-16 remain in the application.

In item 1 on page 2 of the above-identified Office action, the drawings have been objected to because the elements of Fig. 3 are referenced only with numerals and lack a brief text description. Figure 3 has been changed so as to facilitate prosecution of the application and now includes a brief text description for the elements. Therefore, the objection to the drawings by the Examiner is believed to have been overcome.

In item 3 on page 2 of the above-identified Office action, claims 1-16 have been rejected as being indefinite under 35 U.S.C. § 112.

The Examiner has stated that the claims seem to treat steps of a method as though they are components of an apparatus. More specifically, the Examiner refers to "wherein the method steps are divided into modules" (claim 2) and "wherein the method steps are stored in a storage device" (claim 4).

Regarding claim 2, it is respectfully noted from Webster's Third New International Dictionary that the definition of module is: something that serves as a model or pattern. Accordingly, the limitation of "wherein the method steps are divided into modules" does not suggest a structural limitation, but merely the division of method steps into a model or pattern (i.e. a group). It is believed that claim 2 meets the requirements of the second paragraph of 35 U.S.C. § 112. Therefore, claim 2 has not been amended to overcome the rejection by the Examiner.

Regarding claim 4, it is noted that claim 4 recites "reading out the method steps from the storage device". Accordingly, the phrase that "method steps are stored in a storage device" provides an antecedence to show where the method steps are read out from. It is believed that claim 4 meets the requirements of the second paragraph of 35 U.S.C. § 112. Therefore, claim 4 has not been amended to overcome the rejection.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved.

In item 5 on page 3 of the Office action, claims 1-16 have been rejected as being fully anticipated by Morris et al. (U.S. Patent No. 5,764, 900) (hereinafter "Morris") under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

checking whether an output mode is switched on, and producing an output signal in a method step and outputting the output signal only if the output mode is switched on.

The Morris reference discloses how to process sound signals in a computer network with several computers transmitting sound data from several computer clients to another computer. All sound signals that are transmitted are played back by the last computer, which requires coordination of the sound signals

that are transmitted. Morris discloses that the sound signals are transmitted with data packages carrying source addresses which indicate on which speaker the sound signal is to be played back. If the sound signal is to be played back on the right side speaker, that address is assigned to the sound signal and the same is arranged for the left side. Morris discloses a method of how to encode sound signals in order to guarantee correct playback on a corresponding speaker.

The reference does not show checking whether an output mode is switched on, and producing an output signal in a method step and outputting the output signal only if the output mode is switched on, as recited in claim 1 of the instant application. The Morris reference discloses checking which address the source signal has. Morris does not disclose checking if an output mode is switched on. This is contrary to the invention of the instant application as claimed, which recites checking whether an output mode is switched on, and producing an output signal in a method step and outputting the output signal only if the output mode is switched on.

Since claim 1 is believed to be allowable, dependent claims 2-8 are believed to be allowable as well.

Claim 9 calls for, *inter alia*:

the control apparatus being configured to check whether an output mode is switched on, and to output the output signal if the output mode is switched on.

The reference does not show the control apparatus being configured to check whether an output mode is switched on, and to output the output signal if the output mode is switched on, as recited in claim 9 of the instant application. The Morris reference discloses checking which address the source signal has. Morris does not disclose checking if an output mode is switched on or off. This is contrary to the invention of the instant application as claimed, in which the control apparatus is configured to check whether an output mode is switched on, and to output the output signal if the output mode is switched on.

Since claim 9 is believed to be allowable, dependent claims 10-16 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 9. Claims 1 and 9 are, therefore, believed to be patentable over the art and

since all of the dependent claims are ultimately dependent on claims 1 or 9, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-16 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of three months pursuant to Section 1.136(a) in the amount of $950 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner & Greenberg P.A., No. 12-1099.

Respectfully submitted,

For Applicant(s)

Alfred K. Dassler
52,794

AKD:cgm

July 27, 2004

Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101

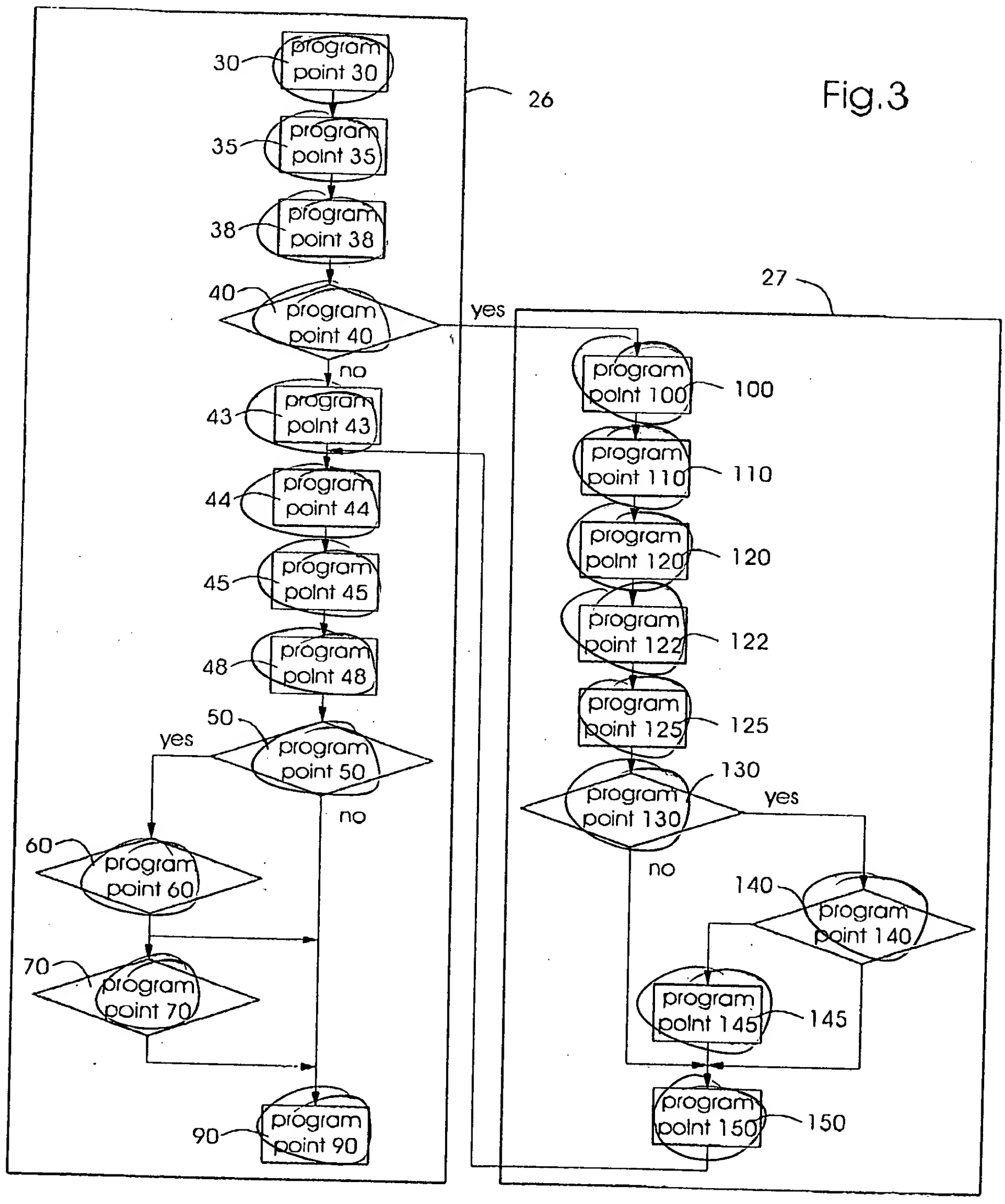

Fig.3

A1:Q,Q<X,Y>,SI<1>,MI<2>,Mo<2>,L<122>,<Info Mode>

A2:Q,Q<X,Y>,SI<0>,MI<1>,Mo<1>,L<48>,<Error Mode>

Fig.4